

**AMENDMENTS TO THE CLAIMS**

1. (Currently Amended) Method for introducing information into a data stream including comprising data about spectral values representing a short-term spectrum of an audio signal, wherein a masking threshold used in generating the data stream as function of frequency for the short-term spectrum is present in the data stream as side information, includingcomprising:

processing the data stream to obtain the spectral values of the short-term spectrum of the audio signal;

combining the information with a spread sequence to obtain a spread information signal, wherein the information includes information bits, and wherein the combining includes spreading the bits based on a spread spectrum modulation by combining the bits with the spread sequence;

generating a spectral representation of the spread information signal to obtain a spectral spread information signal;

establishing a psychoacoustic maskable noise energy as a function of the frequency for the short-term spectrum of the audio signal, wherein the psychoacoustic maskable noise energy is smaller or the same as the psychoacoustic masking threshold of the short-term spectrum by extracting the psychoacoustic masking threshold from the data stream, wherein the psychoacoustic maskable noise energy is the same as the psychoacoustic masking threshold;

weighting the spectral spread information signal by using the established noise energy to generate a weighted information signal, wherein the

energy of the introduced information is substantially equal to or below the psychoacoustic masking threshold;

summing the weighted information signal with the spectral values of the short-term spectrum of the audio signal to obtain sum spectral values includingcomprising the short-term spectrum of the audio signal and the information; and

processing the sum spectral values to obtain a processed data stream includingcomprising the data about the spectral values of the short-term spectrum of the audio signal and the information to be introduced.

2. (Currently Amended) Method according to claim 1, wherein the data stream comprises quantized spectral values as data about spectral values, the step of processing the data stream includingcomprising the following sub-step:

inverse quantizing the quantized spectral values to obtain the spectral values; and

with the step of processing the summed spectral values includingcomprising:

quantizing the summed spectral values to obtain quantized summed [[sub-]] spectral values; and

forming the processed data stream using the quantized summed spectral values.

3. (Currently Amended) Method according to claim 2 wherein the quantized spectral values in the data stream are entropy-encoded, with the step of processing the data stream includingcomprising the following sub-step:

entropy-decoding the entropy-encoded spectral values to obtain the quantized spectral values; and

the step of processing the summed spectral values includingcomprising:

entropy-encoding the quantized summed spectral values.

4. (Original) Method according to claim 1, wherein the step of establishing the psychoacoustic maskable noise energy comprises:

computing the psychoacoustic masking threshold as function of frequency using a psychoacoustic model, which is based on the spectral values of the audio signal.

5. (Cancelled)

6. (Currently Amended) Method according to claim 1, wherein the data stream further comprises side information includingcomprising scale factors by which the spectral values will be multiplied in groups in an audio encoder prior to quantizing, the step of processing the data stream further includingcomprising the following sub-step:

extracting the scale factors from the data stream; and

the step of establishing includingcomprising:

computing the noise energy introduced into theby an audio encoder when quantizing as a function of frequency by using the scale factors for the short-term spectrum and by using the spectral values as well as knowing knowledge on a quantizer used in the audio encoder, the introduced noise energy being a measure for the psychoacoustic maskable noise energy used in weighting.

7. (Currently Amended) Method according to claim 6, wherein the data stream is formed according to ISO/IEC 13818-7 (MPEG-2 AAC) and the step of estimating-computing the noise energy comprises:

establishing a quantizing step for the spectral values from a scale factor band using the scale factor associated with this scale factor band;

evaluating the following formula to obtain the noise energy for the scale factor band introduced by quantizing,

$$x_{\min} = \sum_i [(2^{3 / 8 \cdot QS}) / (27 / 4) \cdot x_i^{1 / 2}]$$

wherein  $x_i$  is the i-th spectral line in a scale factor band, QS is the quantizing step for this scale factor band and  $x_{\min}$  is the noise energy introduced in the scale factor band by quantizing;

the step of weighting includingcomprising:

setting the spectral values of the spectral representation of the spread information signal in the scale factor band such that the total energy of the set spectral values is the same as the noise energy in this scale factor band obtained in the step of evaluating.

8. (Original) Method according to claim 1, wherein the spectral values of the data stream are quantized such that the noise energy introduced by quantizing is smaller than the psychoacoustic masking threshold by a predetermined amount and wherein, in the step of establishing an energy corresponding to the predetermined amount is established; and  
wherein in the step of weighting the spectral values of the spectral representation of the spread information signal are set such that they have an energy corresponding to the predetermined amount.
9. (Currently Amended) Method according to claim 8, wherein the value of the predetermined amount is present as side information in the data stream, and wherein, in the step of establishing, the value for the predetermined amount ~~will be~~ is extracted from the side information of the data stream.
10. (Original) Method according to claim 1, wherein in the step of processing the sum spectral values, the same quantizing step sizes as in the original data stream are used.
11. (Withdrawn) Method for encoding an audio signal, including:
  - generating a short-term spectrum of the audio signal including a plurality of spectral values;
  - computing the psychoacoustic masking threshold of the audio signal using a psychoacoustic model;
  - quantizing the spectral values considering the psycho-acoustic masking threshold, so that the noise energy introduced by quantizing is smaller

than the psycho-acoustic masking threshold by a predetermined amount; and

forming a bit stream including values corresponding to the quantized spectral values of the short-term spectrum and including an indication for the value of the predetermined amount.

12. (Cancelled).
13. (Currently Amended) Apparatus for introducing information into a data stream includingcomprising data about spectral values representing a short-term spectrum of an audio signal, wherein a masking threshold used in generating the data stream as function of frequency for the short-term spectrum is present in the data stream as side information, includingcomprising:
  - a processor for processing the data stream to obtain the spectral values of the short-term spectrum of the audio signal;
  - a combiner for combining the information with a spread sequence to obtain a spread information signal, wherein the information includes information bits, and wherein the combiner is operative to spread the bits based on a spread spectrum modulation by combining the bits with the spread sequence;
  - a generator for generating a spectral representation of the spread information signal to obtain a spectral spread information signal;

an establisher for establishing psychoacoustic maskable noise energy as a function of the frequency for the short-term spectrum of the audio

signal, wherein the psychoacoustic maskable noise energy is smaller than or the same as the psychoacoustic masking threshold of the short-term spectrum by extracting the psychoacoustic masking threshold from the data stream, wherein the psychoacoustic maskable noise energy is the same as the psychoacoustic masking threshold;

a weighter for weighting the spectral spread information signal by using the established noise energy to generate a weighted information signal, wherein the energy of the introduced information is substantially equal to or below the psychoacoustic masking threshold;

a summer for summing the weighted information signal with the spectral values of the short-term spectrum of the audio signal to obtain spectral values includingcomprising the short-term spectrum of the audio signal and the information; and

another processor for processing the summed spectral values to obtain a processed data stream includingcomprising the data about the spectral values of the short-term spectrum of the audio signal and the information to be introduced.

14. (Withdrawn) Apparatus for encoding an audio signal, including:

a generator for generating a short-term spectrum of the audio signal including a plurality of spectral values;

a calculator for computing a psychoacoustic masking threshold of the audio signal using a psychoacoustic model;

a quantizer for quantizing spectral values considering the psychoacoustic masking threshold so that noise energy introduced by quantizing is

- smaller than the psychoacoustic masking threshold by a predetermined amount;
- a bitstream formatter for forming a bit stream including values corresponding to the quantized spectral values of the short-term spectrum and including an indication for the value of the predetermined amount.
15. (Previously Presented) Method of claim 1, in which the spread sequence used in the step of combining is a pseudo noise spread sequence.
16. (Previously Presented) Method of claim 1, in which the step of combining is conducted so that for an information bit with a first logic level, the spread sequence is included unchanged into the spread information signal, and so that for an information bit with a second logic level, an inverse spread sequence is included into the spread information signal.
17. (New) Method for introducing information into a data stream comprising data about spectral values representing a short-term spectrum of an audio signal, and side information comprising scale factors by which the spectral values will be multiplied in groups in an audio encoder prior to quantizing, the data stream being formed according to ISO/IEC 13818-7 (MPEG-2 AAC), comprising:
- processing the data stream to obtain the spectral values of the short-term spectrum of the audio signal, the step of processing the data stream comprising a step of extracting the scale factors from the data stream;
- combining the information with a spread sequence to obtain a spread information signal, wherein the information includes information bits, and wherein the combining includes spreading the bits based on a spread spectrum modulation by combining the bits with the spread sequence;

generating a spectral representation of the spread information signal to obtain a spectral spread information signal;

establishing a psychoacoustic maskable noise energy as a function of the frequency for the short-term spectrum of the audio signal, wherein the psychoacoustic maskable noise energy is smaller or the same as the psychoacoustic masking threshold of the short-term spectrum using a step of computing the noise energy introduced by an audio encoder when quantizing as function of frequency, the step of computing comprising a step of using the scale factors for the short-term spectrum and using the spectral values as well as knowledge on a quantizer used in the audio encoder, the introduced noise energy being a measure for the psychoacoustic maskable noise energy used in weighting, the step of computing the noise energy comprising:

establishing a quantizing step for the spectral values from a scale factor band using the scale factor associated with this scale factor band;

evaluating the following formula to obtain the noise energy for the scale factor band introduced by quantizing,

$$x_{\min} = \sum_i [(2^{3/8 \cdot QS}) / (27/4) \cdot x_i^{-1/2}]$$

wherein  $x_i$  is the i-th spectral line in a scale factor band, QS is the quantizing step for this scale factor band and  $x_{\min}$  is the noise energy introduced in the scale factor band by quantizing;

weighting the spectral spread information signal by using the established noise energy to generate a weighted information signal, wherein the energy of the introduced information is substantially equal to or below the psychoacoustic

masking threshold using a step of setting the spectral values of the spectral representation of the spread information signal in the scale factor band such that the total energy of the set spectral values is the same as the noise energy in this scale factor band obtained in the step of evaluating;

summing the weighted information signal with the spectral values of the short-term spectrum of the audio signal to obtain sum spectral values comprising the short-term spectrum of the audio signal and the information; and

processing the sum spectral values to obtain a processed data stream comprising the data about the spectral values of the short-term spectrum of the audio signal and the information to be introduced.

18. (New) Method for introducing information into a data stream comprising data about spectral values representing a short-term spectrum of an audio signal, wherein the spectral values of the data stream are quantized such that the noise energy introduced by quantizing is smaller than the psychoacoustic masking threshold by a predetermined amount, and wherein the value of the predetermined amount is present as side information in the data stream, comprising:

processing the data streams to obtain the spectral values of the short-term spectrum of the audio signal;

combining the information with a spread sequence to obtain a spread information signal, wherein the information includes information bits, and wherein the combining includes spreading the bits based on a spread spectrum modulation by combining the bits with the spread sequence;

generating a spectral representation of the spread information signal to obtain a spectral spread information signal;

establishing a psychoacoustic maskable noise energy as a function of the frequency for the short-term spectrum of the audio signal, wherein the psychoacoustic maskable noise energy is smaller or the same as the psychoacoustic masking threshold of the short-term spectrum, wherein, in the step of establishing, the value for the predetermined amount is extracted from the side information of the data stream, and the psychoacoustic maskable noise energy is established corresponding to the predetermined amount;

weighting the spectral spread information signal by using the established noise energy to generate a weighted information signal, wherein the energy of the introduced information is substantially equal to or below the psychoacoustic masking threshold, and wherein the spectral values of the spectral representation of the spread information signal are set such that they have an energy corresponding to the predetermined amount;

summing the weighted information signal with the spectral values of the short-term spectrum of the audio signal to obtain sum spectral values comprising the short-term spectrum of the audio signal and the information; and

processing the sum spectral values to obtain a processed data stream comprising the data about the spectral values of the short-term spectrum of the audio signal and the information to be introduced.

19. (New) Apparatus for introducing information into a data stream comprising data about spectral values representing a short-term spectrum of an audio signal, and side information comprising scale factors by which the spectral values will be multiplied in groups in an audio encoder prior to quantizing, the data stream being formed according to ISO/IEC 13818-7 (MPEG-2 AAC), comprising:

a processor for processing the data stream to obtain the spectral values of the short-term spectrum of the audio signal;

a combiner for combining the information with a spread sequence to obtain a spread information signal, wherein the information includes information bits, and wherein the combiner is operative to spread the bits based on a spread spectrum modulation by combining the bits with the spread sequence;

a generator for generating a spectral representation of the spread information signal to obtain a spectral spread information signal;

an establisher for establishing a psychoacoustic maskable noise energy as function of the frequency for the short-term spectrum of the audio signal, wherein the psychoacoustic maskable noise energy is smaller than or the same as the psychoacoustic masking threshold of the short-term spectrum, by computing the noise energy introduced by an audio encoder when quantizing as function of frequency, computing comprising using the scale factors for the short-term spectrum and using the spectral values as well as knowledge on a quantizer used in the audio encoder, the introduced noise energy being a measure for the psychoacoustic maskable noise energy used in weighting, the computing the noise energy comprising:

establishing a quantizing step for the spectral values from a scale factor band using the scale factor associated with this scale factor band;

evaluating the following formula to obtain the noise energy for the scale factor band introduced by quantizing,

$$x_{\min} = \sum_i [(2^{3/8 \cdot QS}) / (27/4) \cdot x_i^{1/2}]$$

wherein  $x_i$  is the i-th spectral line in a scale factor band, QS is the quantizing step for this scale factor band and  $x_{\min}$  is the noise energy introduced in the scale factor band by quantizing;

a weighter for weighting the spectral spread information signal by using the established noise energy to generate a weighted information signal, wherein the energy of the introduced information is substantially equal to or below the psychoacoustic masking threshold by setting the spectral values of the spectral representation of the spread information signal in the scale factor band such that the total energy of the set spectral values is the same as the noise energy in this scale factor band obtained in the step of evaluating;

a summer for summing the weighted information signal with the spectral values of the short-term spectrum of the audio signal to obtain spectral values comprising the short-term spectrum of the audio signal and the information; and

another processor for processing the summed spectral values to obtain a processed data stream comprising the data about the spectral values of the short-term spectrum of the audio signal and the information to be introduced.

20. (New) Apparatus for introducing information into a data stream comprising data about spectral values representing a short-term spectrum of an audio signal, wherein the special values of the data stream are quantized such that the noise energy introduced by quantizing is smaller than the psychoacoustic masking threshold by a predetermined amount, and wherein the value of the predetermined amount is present as side information in the data stream, comprising:

a processor for processing the data streams to obtain the spectral values of the short-term spectrum of the audio signal;

a combiner for combining the information with a spread sequence to obtain a spread information signal, wherein the information includes information bits, and wherein the combiner is operative to spread the bits based on a spread spectrum modulation by combining the bits with the spread sequence;

a generator for generating a spectral representation of the spread information signal to obtain a spectral spread information signal;

an establisher for establishing a psychoacoustic maskable noise energy as a function of the frequency for the short-term spectrum of the audio signal, wherein the psychoacoustic maskable noise energy is smaller than or the same as the psychoacoustic masking threshold of the short-term spectrum, wherein the establisher is operative to extract the value for the predetermined amount from the side information of the data stream, and to establish the psychoacoustic maskable noise energy corresponding to the predetermined amount;

a weighter for weighting the spectral spread information signal by using the established noise energy to generate a weighted information signal, wherein the energy of the introduced information is substantially equal to or below the psychoacoustic masking threshold, wherein the spectral values of the spectral representation of the spread information signal are set such that they have an energy corresponding to the predetermined amount;

a summer for summing the weighted information signal with the spectral values of the short-term spectrum of the audio signal to obtain spectral values comprising the short-term spectrum of the audio signal and the information; and

another processor for processing the summed spectral values to obtain a processed data stream comprising the data about the spectral values of the short-term spectrum of the audio signal and the information to be introduced.